

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

WILLIAM ADAMS,

Plaintiff,

vs.

CITY OF LINCOLN, JOSEPH
VILLAMONTE, DANIEL DUFEK, and
CAPITAL TOWING, INC., a Nebraska
corporation;

Defendants.

4:19CV3051

ORDER TO SHOW CAUSE

On January 16, 2020, the court ordered Plaintiff William Adams (“Plaintiff”) to show cause why the claims against Defendant Capital Towing, Inc. should not be dismissed for want of prosecution, pursuant to Fed. R. Civ. P. 4(m). ([Filing No. 15](#)). As of the date of the January 16, 2020 show cause order, Plaintiff had not filed a return of service indicating service on Defendant Capital Towing, Inc., and Defendant Capital Towing, Inc. has not voluntarily appeared. ([Id](#)). Plaintiff timely responded to the court’s show cause order, indicating that he had, and would again, follow up with the United States Marshal to determine status of service. ([Filing No. 18](#)). Defendant Capital Towing, Inc. was served on February 7, 2020 with the process receipt of the USM-285 summons form filed on February 21, 2020. ([Filing No. 19](#)).

The deadline for Defendant Capital Towing, Inc. to answer or otherwise respond to Plaintiff’s Amended Complaint was therefore February 28, 2020. Defendant Capital Towing, Inc. has not, to date, filed an answer or response, and

no explanation has been provided to the court regarding the failure to litigate this matter.

Accordingly,

IT IS ORDERED that Plaintiff shall have until April 3, 2020 to show cause why its claims against Defendant Capital Towing, Inc. should not be dismissed for want of prosecution. See NECivR 41.2. The failure to timely comply with this order may result in dismissal of those claims without further notice.

Dated this 24th day of March, 2020.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge